

DAVIDOFF HUTCHER & CITRON LLP

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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

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In Re:

Chapter 11

URBAN COMMONS 2 WEST LLC, ET AL.,¹

Lead Case No.: 22-11509 (PB)
(Jointly Administered)

Debtors.

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**DECLARATION DISCLOSING INCREASE IN
HOURLY RATES EFFECTIVE JANUARY 1, 2023**

ROBERT L. RATTET, ESQ hereby declares the following under penalties of perjury:

1. I am a member of Davidoff Hutcher & Citron LLP (“DHC”), which maintains offices at 605 Third Avenue, New York, New York 10158 and 120 Bloomingdale Road, White Plains, New York 10605. I am duly admitted to practice law before this Court and the courts of the State of New York. I have personal knowledge of the facts set forth herein.

¹ Jointly administered with Urban Commons 2 West II LLC (Tax ID: **-***7987), Urban Commons 2 West III LLC (Tax ID: **-***3270), Urban Commons 2 West IV LLC (Tax ID: **-***8418), and Urban Commons 2 West Operating Tenant LLC (Tax ID: **-***0849), with a shared mailing address of 3334 East Coast Highway, No. 350, Corona Del Mar, CA 92625.

2. By Order dated December 16, 2022 [Dkt. No. 68] (the “Employment Order”), the Court approved the employment of DHC as attorneys for the above captioned debtors (the “Debtors”).

The Employment Order provides, in pertinent part:

Ten (10) days prior to any increases in DHC’s rates for any individual employed by DHC and retained by the Trustee pursuant to court order, DHC shall file a supplemental affidavit with the Court setting forth the basis for the requested rate increase pursuant to 11 U.S.C. §330(a)(3)(F). Parties in interest, including the United States Trustee, retain all rights to object to or otherwise respond to any rate increase on any and all grounds, including, but not limited to, the reasonableness standard under 11 U.S.C. §330.

3. In accordance with the Employment Order, I submit this Affidavit disclosing the following increases in certain of DHC’s hourly rates effective as of January 1, 2022.

<u>Name</u>	<u>Title</u>	<u>2022 Hourly Rate</u>	<u>2023 Hourly Rate</u>
Max DuVal	Associate	\$350.00	\$450.00

4. After careful consideration, DHC determined to increase certain of its hourly rates based upon, *inter alia*, increased operating costs, insurance costs, employee costs and expenses. DHC submits that such rates increases are reasonable and necessary, especially given the rise in costs and expenses that DHC has incurred. Moreover, the rate increases are reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under Title 11 of the United States Code.

5. The Debtor has been advised of the rate increases set forth herein.

6. Based on the foregoing, I believe that DHC's new hourly rates set forth herein are reasonable and customary.

By: /s/ Robert L. Rattet
Robert L. Rattet

worn to before me
this 3rd day of February, 2023

/s/ James Glucksman
James Glucksman, Notary Public